

EXHIBIT N

**U.S. Citizenship
and Immigration
Services**

July 27, 2012

NRC2012069832

Jeffrey Martins
Attorney at Law
369 Pine St., Suite 725
San Francisco, CA 94104

Dear Jeffrey Martins:

We received your request for information relating to [REDACTED] on July 27, 2012.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: NRC2012069832. Please cite this number in all future correspondence about your request.

We respond to requests on a first-in, first-out basis and on a multi-track system. Your request has been placed in the fast track (Track 3).

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.3(c)), your request is deemed to constitute an agreement to pay any fees that may be chargeable up to \$25.00. Fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. The first 100 copies and two hours of search time are not charged, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Most requests do not require any fees; however, if fees in excess of \$25.00 are required, we will notify you beforehand.

This office will be providing your records on a Compact Disc (CD) for use on your personal computer. The CD is readable on all computers through the use of Adobe Acrobat software. A version of Adobe Acrobat will be included on the CD. Your records can be viewed on your computer screen and can be printed onto paper. Only records 15 pages or more are eligible for CD printing. To request your responsive records on paper, please include your control number and write to the above address Attention: FOIA/PA Officer, or fax them to (816) 350-5785.

USCIS no longer collects Social Security Numbers in connection with FOIA or PA requests. When forwarding to us any documents related to your request, please ensure any Social Security Numbers on the documents are blanked out or removed.

The National Records Center (NRC) has the responsibility to ensure that personally identifiable information (PII) pertaining to U.S. Citizenship and Immigration Services (USCIS) clients is protected. In our efforts to safeguard this information, we may request that additional information be provided to facilitate and correctly identify records responsive to your request. Though submission of this information is voluntary, without this information, your request may be delayed while additional steps are taken to ensure the correct responsive records are located and processed. Further, if we are unable to

NRC2012069832

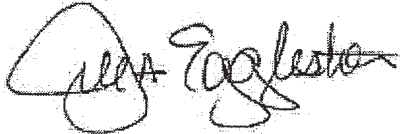
Page 2

positively identify the subject of the record we may be unable to provide records responsive to your FOIA request.

You may check the status of your FOIA request online, at www.uscis.gov. Click on "FOIA Request Status Check" located on the left side of the web page under "Other Services", and follow the instructions. If you have any questions concerning your pending FOIA/PA request, or to check the status of a pending application or petition, please call The National Customer Service Center at 1-800-375-5283. Please be aware that the National Records Center no longer accepts FOIA/PA related questions directly by phone.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Please include the control number listed above on all correspondence with this office. Requests may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead, or sent by fax to (816) 350-5785. You may also submit FOIA/PA related requests to our e-mail address at uscis.foia@uscis.dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill A. Eggleston", written over a circular stamp or seal.

Jill A. Eggleston
Director, FOIA Operations

**LAW OFFICE OF
JEFFREY MARTINS**
US Immigration Attorney-At-Law

369 Pine St., Suite 725, San Francisco, CA 94104, 415-954-9433
www.martinslawoffice.com, Martinslaw@sbcglobal.net

August 21, 2012

USCIS FOIA/PA Appeals Office
150 Space Center Loop, Suite 500
Lee's Summit, MO 64064-2139

To Whom It May Concern:

Dear Sir or Madam:

Please consider this letter as an appeal of the determination to withhold information from the Freedom of Information Act request filed with the National Record Center regarding [REDACTED] NRC2012069832.

In the August 15, 2012, response to the Freedom of Information Act request, information regarding [REDACTED] was improperly withheld. There was a large amount of information inappropriately blocked out or withheld altogether

Most significantly, [REDACTED] was interviewed at the San Francisco Asylum Office on or about June 27, 2012. During this interview a written or typed record of the questions and answers was created. These notes represent the only record of the sworn testimony of [REDACTED] and do not fall under any exception listed in the Freedom of Information Act, U.S.C. 552 and related provisions.

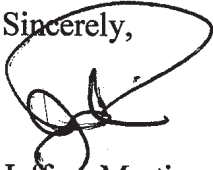
According to the response, it appears that this information is being withheld under Freedom of Information Act, U.S.C. 552(b)(5). The sworn testimony of [REDACTED] does not constitute interagency memorandum or letters or other internal agency information nor does it constitute predecisional information, documents made in contemplation of litigation, or confidential communication between attorney and client.

Sworn statements taken by immigration officials in all contexts are available through Freedom of Information Act requests and the officer's written records of [REDACTED] [REDACTED] interview is no different and should have been provided.

Please reconsider the decision to withhold this information and provide it to [REDACTED]
[REDACTED] attorney, Jeffrey Martins, at the above listed address. Providing this
information in a timely manner will help avoid any additional legal action.

If you have any questions, please feel free to contact me using any of the information
listed at the top of this letter.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Martins', enclosed within a large, loopy oval shape.

Jeffrey Martins, Esq.



U.S. Citizenship
and Immigration
Services

September 27, 2012

APP2012000923

Jeffrey Martins
Attorney at Law
369 Pine Street, Suite 725
San Francisco, CA 94104

Dear Mr. Martins:

Re: NRC2012069832

You appealed the action of the National Records Center regarding your request for access to records pertaining to [REDACTED] dated July 27, 2012. The original determination of the National Records Center was to withhold 9 pages in part and 27 in full.

After careful consideration of your appeal, and as a result of discussions with the National Records Center, we have decided to release 2 additional pages to you, copies of which are enclosed. We are releasing these pages in part. We have redacted information pursuant to 5 U.S.C. §§ 552 (b)(6).

On the remaining pages, we found that the National Records Center properly withheld certain information that is protected from disclosure. We have determined that this information is not appropriate for discretionary release. Asylee interview notes and/or asylum officers' findings are appropriately withheld pursuant to 5 U.S.C. § 552(b)(5). *See Phillips v. Immigration and Customs Enforcement*, 385 F.Supp.2d 296, 302-03 (S.D.N.Y. 2005).

If you are dissatisfied with our action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B). The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Hughes".

Alan D. Hughes, Associate Counsel
Commercial and Administrative Law Division
Department of Homeland Security
Citizenship and Immigration Services